

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

ESTATE OF OMAR RILEY, )  
c/o STEVEN P. MUTERSBAUGH, )  
Administrator )  
23 S. Main Street, Suite 301 )  
Akron, OH 44308 )

CASE NO:

JUDGE:

ESTATE OF ANIYLA RILEY, )  
c/o STEVEN P. MUTERSBAUGH, )  
Administrator )  
23 S. Main Street, Suite 301 )  
Akron, OH 44308 )

**COMPLAINT AND DEMAND FOR  
JURY TRIAL**

**Type: Wrongful Death and  
Survivorship**

ESTATE OF SHANICE RILEY, )  
c/o STEVEN P. MUTERSBAUGH, )  
Administrator )  
23 S. Main Street, Suite 301 )  
Akron, OH 44308 )

Plaintiffs )

v. )

JONI L. LAIDIG )  
10521 Scenic Dr. )  
Port Richey, FL 34668 )

Defendant )

Now comes Plaintiff, by and through counsel, and for his Complaint against Defendant Joni L. Laidig states as follows:

**PARTIES, JURISDICTION AND VENUE**

1. Plaintiff Steven P. Mutersbaugh is the duly appointed representative and administrator of the Estates of Ohio residents Omar Riley, Shanice Riley, and Aniyala Riley, all deceased. He brings this wrongful death and survivorship action as the personal representative of the Estate of Omar Riley, Shanice Riley, and Aniyala Riley for

the exclusive benefit of the Estates, and for the heirs and next of kin of the deceased pursuant to Ohio Revised Code § 2125.01 *et seq.*.

2. Defendant Joni L. Laidig ("Defendant") is an individual and resident of Port Richey, Florida.

3. Upon information and belief, Defendant has significant contacts with Ohio and this county in particular by her ownership of 226 East Tallmadge Ave, Akron, Summit County, OH 44310, such that she is subject to personal jurisdiction within this jurisdiction.

4. The subject matter jurisdiction of this Court is based upon diversity of citizenship pursuant to 28 U.S.C.S. § 1332, and the matter has a value in excess of \$75,000.

5. Venue is proper in the Northern District of Ohio as the decedents were residents of Akron, Summit County, Ohio, and the fire which caused their deaths was in Akron, Summit County, Ohio.

### **FACTUAL BACKGROUND**

6. On December 3, 2016, a rental property located at 266 East Tallmadge Rd. Akron, Ohio, owned by Defendant Joni L. Laidig, and occupied by Omar Riley, age 37, Aniyia Riley, age 8, and Shanice Riley, age 9, caught fire, and as a result of the lack of smoke detectors, this fire and smoke inhalation caused their injuries and deaths.

7. Defendant Joni L. Laidig did not equip the property located at 266 East Tallmadge Rd. Akron, Ohio, with smoke detectors, in violation of law.

8. Occupants of the property, Omar Riley, Shanice Riley, and Aniyla Riley, all perished in the smoke and fire.

## **CAUSES OF ACTION**

### **COUNT I: NEGLIGENCE**

9. Plaintiff incorporates by reference paragraphs 1-8 of the Complaint as if fully set forth herein.

10. Defendant had a duty to the occupants of her rental properties, including occupants Omar Riley, Shanice Riley, and Aniyla Riley, to provide working smoke detectors for the property, as required by law.

11. Defendant was negligent and grossly negligent in failing to equip the residence located at 266 East Tallmadge Ave, Akron, Summit County, Ohio, with smoke detectors, in violation of law.

12. As a direct and proximate result of Defendant's negligence and gross negligence, Plaintiff's decedents, occupants Omar Riley, Shanice Riley, and Aniyla Riley, suffered severe injuries, burns and smoke inhalation sustained during the fire, resulting in their deaths.

WHEREFORE, Plaintiff demands a trial by jury, judgment against Defendant for damages in the amount of \$25,000,000.00, and punitive damages in an amount to be determined by a jury, as well as costs, attorney fees, applicable interest, and any other relief, monetary or equitable, to which it is entitled.

**PLAINTIFF DEMANDS A TRIAL BY JURY.**

Respectfully submitted

s/ Stanley P. Aronson

Stanley P. Aronson – 0024836

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